

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 89492

Anieta P. Cain
Donna Gentry
748 Sue Grove Road
Baltimore MD 21221

1635 Mussula Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on May 25, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) and Baltimore County Zoning Regulations (BCZR). The Respondent was charged with violating BCC § 35-2-404, 35-5-302, 13-7-112, 115, 310 and 312; BCZR § 101, 102.1, 1B01.1A, 1B01.1D: Failure to maintain property in good repair, failure to repair roof, fascia, board, brick, window and gutter on side of dwelling and failure to cease open dump and junkyard conditions on residential property located at 1635 Mussula Road, 21286.

On May 2, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Kim Wood issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,200.0 (one thousand two hundred dollars).

The following persons appeared for the Hearing and testified: Donna Gentry, daughter of Respondent and Kim Wood, Baltimore County Code Enforcement Officer.

Inspector Wood presented Baltimore County's case, and submitted photos depicting the presence of much trash, junk and debris at the premises, as well as a deteriorated roof on the home. The owner's daughter testified, and advised that her mother was unable to keep up with repairs on the property, and that she died a few years ago. The home is now vacant, and although there has been

some improvement, there is still a large volume of trash on the premises, and a face board needs to be replaced at the roof line.

THEREFORE:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,200.00 (one thousand two hundred dollars).

IT IS FURTHER ORDERED that the \$1,200.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the suspended \$1,200.00 civil penalty be automatically imposed without the need for further Hearing or Order if the property is not brought into compliance by June 25, 2011.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 2ND day of June 2011

Signed: ORIDGINAL_SIGNED
John E. Beverungen
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.